



09-15-03 10109

RCE \$

## REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000 provides for continued examination of a utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA)

Application Number: 09/724,755

Filing Date: November 28, 2000

First Named Inventor: H. Michael WENZ

Group Art Unit: 1637

Examiner: J. Fredman

Attorney Docket Number: 7414.0020-03000

Attorney Customer Number: 22,852

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**Note:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) instead of a RCE to be eligible for patent term adjustment provisions of the AIPA. See "Changes to Application Examination and Provisional Application Practice," Interim Rule, 65 Fed. Reg. 14865 (March 20, 2000). Off. Gaz. Pat. Office 47 (April 11, 2000), which established RCE practice.

### 1. Submission required under 37 C.F.R. § 1.114:

- a.  Previously submitted
- i.  Consider the amendment(s)/reply after final under 37 C.F.R. § 1.116 previously filed on December 11, 2002.
  - ii.  Consider the arguments in the Appeal Brief of Reply Brief previously filed on \_\_\_\_\_.
  - iii.  Other \_\_\_\_\_
- b.  Enclosed:
- i.  Amendment
  - ii.  Affidavit(s)/Declaration(s)
  - iii.  Information Disclosure Statement
  - iv.  Other \_\_\_\_\_

### 2. Miscellaneous

- a.  Suspension of action on the above-mentioned application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; fee under 37 C.F.R. § 1.17(i) required.)
- b.  Other \_\_\_\_\_

### 3. Fees

- a.  The filing fee is calculated as follows:
- |  |                                       |
|--|---------------------------------------|
| i. <input checked="" type="checkbox"/> \$750.00 RCE fee required under 37 C.F.R. § 1.17(e)   | 09/16/2003 ANOMDAF1 00000057 09724755 |
| ii. <input checked="" type="checkbox"/> Petition for Four Month Extension of Time \$1,450.00 | 01 FC:1801 750.00 0P                  |
| iii. <input type="checkbox"/> Other _____  |                                       |
- b.  Check in the amount of \$2,200.00 enclosed.
- c.  The Commissioner is authorized to charge any deficiencies in the filing fees, or credit any overpayments to Deposit Account No. 06-0916.

### Signature of Applicant, Attorney, or Agent Required

Name: M. Paul Barker	Reg. No.: 32, 013
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Signature: <u>M. Paul Barker</u>	Date: September 11, 2003
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### CERTIFICATE UNDER 37 CFR § 1.10 OF MAILING BY "EXPRESS MAIL"

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Name: Sarah Barnett	Express Mail Label No.: EV 351294576 US
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Signature: <u>Sarah Barnett</u>	Date: September 11, 2003
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September 11, 2003

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By:

  
Sarah Barnett

PATENT

Customer No. 22,852

Attorney Docket No. 07414.0020-03000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

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H. Michael WENZ

)

Group Art Unit: 1637

Application No.: 09/724,755

)

Examiner: J. Fredman

Filed: November 28, 2000

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For: METHODS FOR DETECTING  
TARGET NUCLEIC ACIDS USING  
COUPLED LIGATION AND  
AMPLIFICATION

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)  
)  
)

**Mail Stop RCE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**AMENDMENT**

Applicant now responds further to the Final Office Action mailed September 11, 2002, (September Final Action) and the Advisory Action mailed January 10, 2003 (Advisory Action). Applicant filed an Amendment After Final on December 11, 2002. A Notice of Appeal and a Petition for Extension of Time (three months) was filed on March 11, 2003. The period for filing an appeal brief has been extended four months by the Petition for Four Month Extension of Time and fee payment filed concurrently herewith. Applicant requests reconsideration and withdrawal of all outstanding rejections. Please enter the following amendments:

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